

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23822 of 2022

Arising Out of PS. Case No.-22 Year-2018 Thana- SAHPUR District- Patna

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Gopal Sao Son of Shri Krishna Saw Resident of Nargadda, P.S.- Shahpur,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Adv.

For the Opposite Party/s : Mr. Binay Krishna, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special Case POCSO Act No.18 of 2018 arising out of Shahpur
P.S. Case No. 22 of 2018, lodged under Sections 376 of the
Indian Penal Code read with Section 3(2)(v) of SC/ST Act and
Section 6 of POCSO Act.

As per prosecution case, the allegation of committing
rape of minor daughter of informant is there against the
petitioner in the F.I.R.

Learned counsel for the petitioner submits that the
case is false and the petitioner is innocent. He further submits
that charge sheet has been filed and charge has also been framed

in this case. Learned counsel for the petitioner further submits that petitioner is in custody since 28.01.2018. He also submits that the bail application of petitioner was earlier rejected also.

Learned counsel for the State opposes the prayer for bail and submits that bail application of petitioner was earlier rejected and stage of trial has been called for. From the report, it transpires that evidence of prosecution was closed, statement of accused was recorded and case was fixed for evidence on behalf of defence, subsequently record was fixed for argument on behalf of the respective parties but a petition was filed to brought on record school leaving certificate of the victim.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and his bail application is hereby rejected.

The Trial Court is directed to conclude the trial at the earliest.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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